

1 Bill No. X-90-09-04

2 ANNEXATION ORDINANCE NO. X-

07-90

3 AN ORDINANCE annexing certain territory
4 commonly known as the East State
5 Annexation Area to Fort Wayne and
6 including the same in Councilmanic
7 District No. 2.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the following described territory be
11 and
12 the same is hereby annexed to, and made a part of, the
13 corporation of the City of Fort Wayne, Indiana, to-wit:

14 Part of the Northeast 1/4 of Section 33, Township 31
15 North, Range 13 East, Allen County, Indiana described
16 as follows:

17 Beginning at the intersection of the West right-
18 of-way of Maplecrest Road with the northerly
19 right-of-way of East State Boulevard (formerly
20 Hicksville Road), said point being on the
21 existing City Limits line as established by
22 Annexation Ordinance X-39-71 filed in the Fort
23 Wayne City Clerk's Office; thence southwesterly,
24 along the northerly right-of-way of said East
25 State Boulevard, to its intersection with a
26 westerly line of Lake Estates as recorded in Plat
27 Book 23, page 56 in the Allen County Recorder's
28 Office; thence North 29 degrees 55 minutes 08
29 seconds East, a distance of 324.66 feet, along
30 said westerly line, thence North 26 degrees 11
31 minutes 16 seconds East, along a westerly line of
32 said Lake Estates, to the Northwest corner
thereof; thence North 65 degrees 10 minutes 3 4
seconds East, a distance of 28.25 feet along a
northerly boundary of said Lake Estates; thence
North 65 degrees 10 minutes 40 seconds East, a
distance of 43.75 feet along a northerly boundary
of said Lake Estates; thence North 66 degrees 00
minutes 34 seconds East, a distance of 71.66 feet
along a northerly boundary of said Lake Estates;
thence North 80 degrees 03 minutes 41 seconds
East, a distance of 70.0 feet along a northerly
boundary of said Lake Estates and its
northeasterly prolongation thereof; thence North
67 degrees 37 minutes 34 seconds East, a distance
of 209.59 feet to a point on the East line of an
Indiana and Michigan Electric Company right-of-
way, said East line being 60 feet normally distant
East of and Parallel with the West line of the
East 1/2 of the Northeast 1/4 of Section 33;
thence North 01 degree 04 minutes 30 seconds East,
a distance of 94.26 feet along said East line;
thence North 87 degrees 57 minutes 47 seconds
East, a distance of 937.3 feet along the westerly
prolongation of and North line of Lehman Homestead
Addition as recorded in Plat Book 21, page 27 in
the Allen County Recorder's Office; thence North
00 degrees 46 minutes 00 seconds East, a distance
of 216.0 feet, parallel with the East line of the
Northeast 1/4 of said Section 33, to the Northwest

1 corner of lands conveyed to Delagrang and
2 recorded in Document 86-006752 in the Allen County
3 Recorder's Office; thence North 87 degrees 57
4 minutes 47 seconds East, along the North line of
said Delagrang parcel and its easterly
prolongation thereof, to the West right-of-way of
Maplecrest Road; thence southerly, along said West
right-of-way, to a point of beginning, containing
17 acres more or less.

5 The boundaries of said territory are those outlined in
6 the location map designated East State Annexation, two
7 copies of
8 which are on file in the office of the Clerk of the City of
9 Fort Wayne and available for public inspection as provided
10 by law.

11 SECTION 2. That the City of Fort Wayne will furnish
12 the above described territory within a period of one (1)
13 year from the effective date of annexation, planned services
14 of a non-capital nature, including police protection, fire
15 protection, and street and road maintenance, in a manner
16 which is equivalent in standard and scope to those non-
17 capital services provided to areas within the City of Fort
18 Wayne which have similar topography, patterns of land
19 utilization and population density to the said described
20 territory. The City of Fort Wayne will also provide
21 services of a capital improvement nature, including street
22 construction, street lighting, sewer facilities, water
23 facilities and stormwater drainage facilities to the annexed
24 territory within three (3) years of the effective date of
25 annexation, in the same manner as such services are provided
26 to areas already in the City of Fort Wayne with similar
27 topography, patterns of land utilization and population
28 density, and in a manner consistent with federal, state and
29 local laws, procedures and planning criteria.

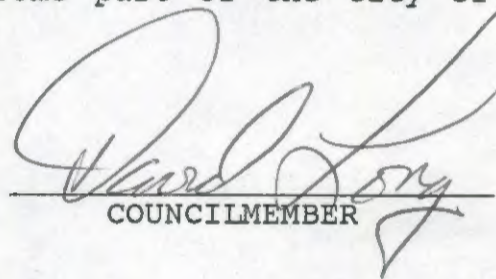
30 SECTION 3. That governmental and proprietary services
31 will be provided to the above described territory in a
32 manner consistent with the written Fiscal Plan for the
territory developed by the Division of Community and
Economic Development. Said Plan was examined by the Common

PAGE 3

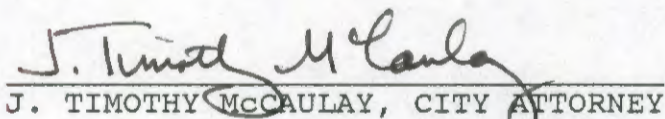
Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above described territory shall become part of the City of Fort Wayne on December 31, 1990.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Long, seconded by Bradbury, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 9-11-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Bradbury, and duly adopted, placed on its passage. PASSED lost by the following vote:

| | AYES | NAYS | ABSTAINED | ABSENT |
|-------------|----------|------|-----------|----------|
| TOTAL VOTES | <u>8</u> | | | <u>1</u> |
| BRADBURY | | | | <u>✓</u> |
| BURNS | <u>✓</u> | | | |
| EDMONDS | <u>✓</u> | | | |
| GIAQUINTA | <u>✓</u> | | | |
| HENRY | <u>✓</u> | | | |
| LONG | <u>✓</u> | | | |
| REDD | <u>✓</u> | | | |
| SCHMIDT | <u>✓</u> | | | |
| TALARICO | <u>✓</u> | | | |

DATED: 10-9-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP)

ORDINANCE RESOLUTION NO. X-07-90

on the 9th day of October, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1990 at the hour of 11:30 o'clock A M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of October, 1990, at the hour of 1:30 o'clock P M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

October 19, 1990

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
October 24 and October 31, 1990, in both the News
Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-90-09-04
Annexation Ordinance No. X-07-90

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

Notice is hereby given that on the 9th day of
October, 1990, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-90-09-04 Annexation
Ordinance No. X-07-90 to-wit:

1 Bill No. X-90-09-04

2 ANNEXATION ORDINANCE NO. X- 07-90

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4 commonly known as the East State
5 Annexation Area to Fort Wayne and
6 including the same in Councilmanic
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Indiana and Michigan Electric Company right-of-
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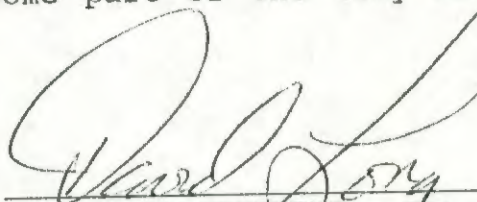
corner of lands conveyed to Delagrance and recorded in Document 86-006752 in the Allen County Recorder's Office; thence North 87 degrees 57 minutes 47 seconds East, along the North line of said Delagrance parcel and its easterly prolongation thereof, to the West right-of-way of Maplecrest Road; thence southerly, along said West right-of-way, to a point of beginning, containing 17 acres more or less.

The boundaries of said territory are those outlined in the location map designated East State Annexation, two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common

12 necessary approval by the Mayor, this Ordinance shall be
13 published as provided for in I. C. 36-4-3-7. The above
14 described territory shall become part of the City of Fort
15 Wayne on December 31, 1990.

16
17 
18 COUNCILMEMBER
19 David Long

20 Read the third time in full and on motion by Long,
seconded by Talarico, and duly adopted, placed on its passage.
PASSED by the following vote:

Ayes: Eight
Burns, Edmonds, GiaQuinta, Henry, Long, Redd,
Schmidt, Talarico

Nays: None

Absent: One

Bradbury

Abstained: None

DATED: 10-9-90

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, as Annexation Ordinance No. X-07-90, on
the 9th day of October, 1990.

ATTEST

(SEAL)

Sandra E. Kennedy
City Clerk

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 10th day of October, 1990, at the hour of
11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

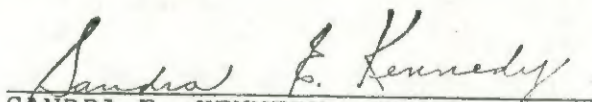
Approved and signed by me this 18th day of October, 1990,
at the hour of 1:30 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
_____Annexation_____ Ordinance No. X-07-90_____,
passed by the Common Council on the 9th day of
October, 19 90, and that said Ordinance was
duly signed and approved by the Mayor on the 18th day of
October, 19 90, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 18th day of October, 19 90.

SEAL


SANDRA E. KENNEDY, CITY CLERK



MEMORANDUM

TO: City Council Members

FROM: Michael Sapp, Director of Planning *M.A.S.*

SUBJECT: East State Annexation

DATE: October 2, 1990

Attached is the Fiscal Plan for the above noted annexation. The East State annexation contains approximately 17 acres of which 8 acres are developed residentially, 6 acres are developed commercially, 3 acres are developed for institutional uses, and 1 acre is an I&M easement. Of the twenty properties in the area, 9 are subject to sewer extension agreements wherein the owners waived their rights to remonstrate against annexation. A majority of the area is zoned RS-1 "Suburban Residential." The remainder of the area is zoned C-1 "Limited Commercial" and C-1A "Professional Services."

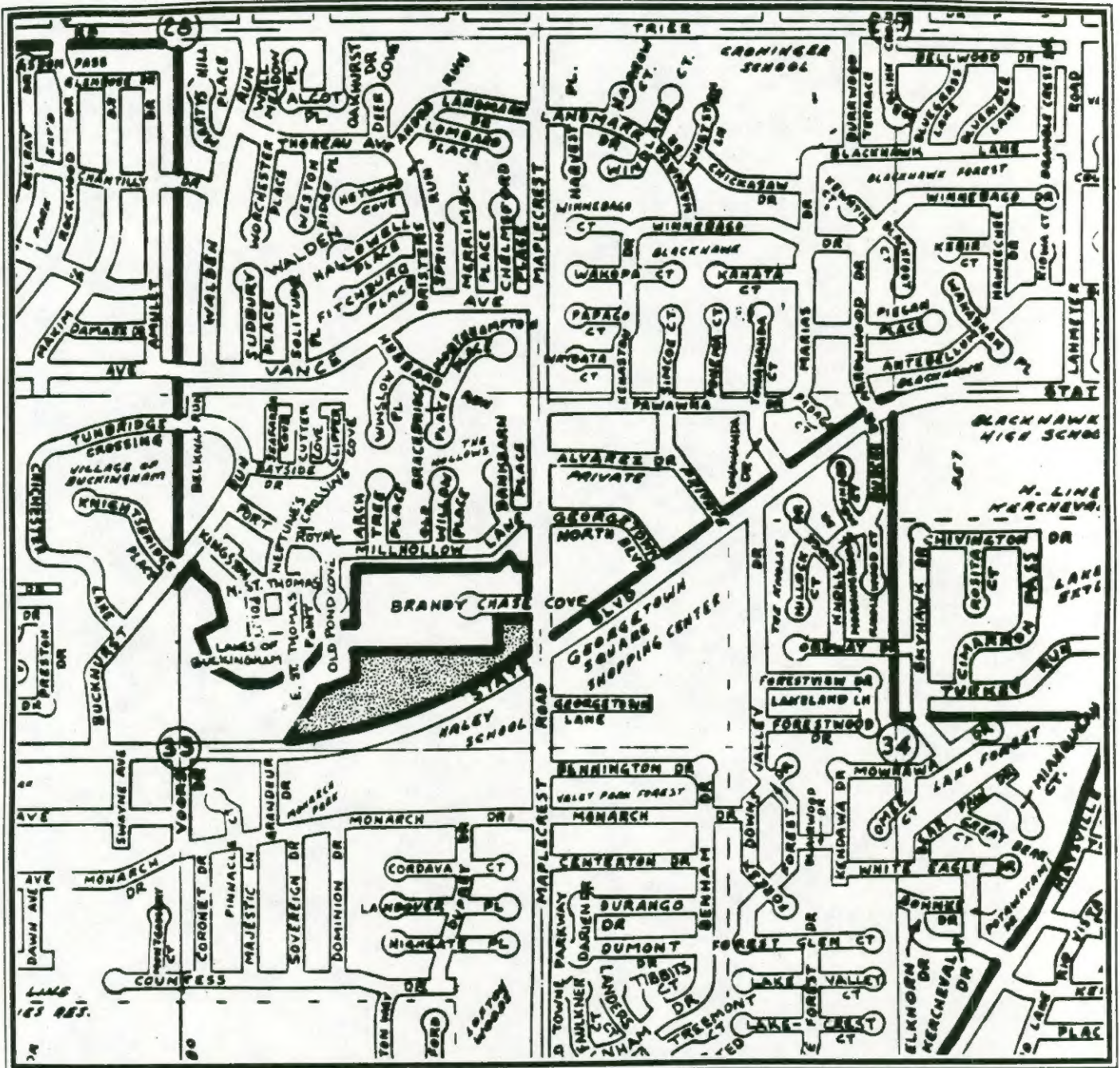
A member of the Long Range Planning staff will present this annexation at the public hearing, September 17, 1990 and will address any questions you may have.

MS/ph

Attachments

FIGURE 1

EAST STATE ANNEXATION



Location



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

October 19, 1990

Ms. Connie Lambert
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Dear Ms. Lambert:

Please give the attached full coverage on the dates of
October 24 and October 31, 1990, in both the News
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RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-90-09-04
Annexation Ordinance No. X-07-90

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

Re: *East State Annexation (X-07-90)*

Dear :

Per I.C. 36-4-3-22, please find attached a copy of the above noted annexation which was approved by the City Council *October 9, 1990*. The annexation was duly published *October 24 and October 31, 1990*.

PLEASE NOTE THAT THIS ANNEXATION ~~DOES NOT BECOME~~ *Became* EFFECTIVE ~~UNTIL~~ *December 31, 1990*.

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

Sincerely yours,

Sandra E. Kennedy
City Clerk

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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Attest:

The above and foregoing is a true and perfect copy of Bill No. X-90-09-04

Ordinance Ordinance X-07-90

as the same appears and remains on record in my office.

Witness my hand and seal this 9th

day of January 1991


CLERK

AUDITOR'S OFFICE

F I L E D
JAN 9 1991


AUDITOR OF ALLEN COUNTY

1 Bill No. X-90-09-24/

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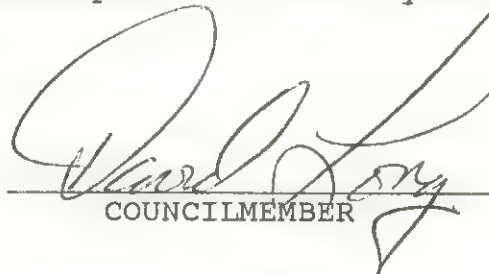
91 JAN -9 PM 2:23

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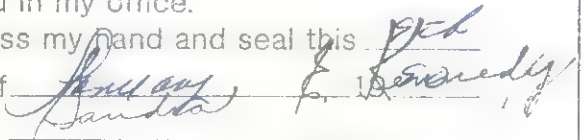

J. TIMOTHY McCAULAY, CITY ATTORNEY

Attest:

The above and foregoing is a true and perfect copy of Bill No. X-90-09-04
Consolidation Ordinance No. X-07-50
as the same appears and remains on record in my office.

Witness my hand and seal this

day of


CLERK

DIGEST SHEETTITLE OF ORDINANCE EAST STATE ANNEXATION AREADEPARTMENT REQUESTING ORDINANCE COMMUNITY AND ECONOMIC DEVELOPMENTSYNOPSIS OF ORDINANCE THE ORDINANCE ANNEXES SAID TERRITORY TO THE CITY OF
FORT WAYNE. THE ANNEXATION AREA CONTAINS APPROXIMATELY 17 ACRES.THE ANNEXATION MEETS THE TEST FOR ANNEXATION UNDER STATE LAW IN
THAT THE AREA IS AT LEAST ONE-FOURTH CONTIGUOUS TO THE CITY AND
IS NEEDED AND CAN BE USED BY THE MUNICIPALITY FOR ITS DEVELOPMENT
IN THE REASONABLY NEAR FUTURE.

X-90-09-04

EFFECT OF PASSAGE DESCRIBED TERRITORY WILL BECOME PART OF THE CITY.EFFECT OF NON-PASSAGE THE AREA WILL NOT BECOME PART OF THE CITY.MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) TO BE EXPLAINED BY THEFISCAL PLAN WHICH WILL BE PREPARED BY THE DIVISION OF COMMUNITY
AND ECONOMIC DEVELOPMENT.

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. X-90-09-04

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRPERSON
BURNS, EDMONDS, HENRY

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain
territory commonly known as the East State Annexation Area to
Fort Wayne and including the same in Councilmanic District No. 2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

David C. Long

Clifton R. Edwards

Janet G. Bradbury

John C. Burns

DATED: 10-9-90

Sandra E. Kennedy
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen
County, Indiana

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN
Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

163 lines, 1 columns wide equals 163 equivalent lines
at .495 cents per line \$ 80.69

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 82.69

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: October 31, 19 90 Title: Clerk

LEGAL NOTICE
Notice is hereby given that on the 9th day of October, 1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill to: X-90-09-04 Annexation Ordinance NO. X-07-90 as-wit:
Bill No. X-90-09-04
ANNEXATION ORDINANCE NO. X-07-90
AN ORDINANCE annexing certain territory commonly known as the East State Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, as-wit:
part of the Northeast 1/4 of Section 33, Township 31 North, Range 13 East, Allen County, Indiana described as follows:
Beginning at the intersection of the West right-of-way of Maplecrest Road with the northerly right-of-way of East State Boulevard (formerly Lakesville Road), said point being on the existing City limits line as established by Annexation Ordinance 39-71 filed in the Fort Wayne City Clerk's Office; thence southwesterly, along the northerly right-of-way said East State Boulevard, to its intersection with a westerly line of Lake Estates as recorded in Plat Book 23, page 56 in the Allen County Recorder's Office; thence North 29 degrees 55 minutes 08 seconds East, a distance of 324.66 feet, along said westerly line, thence North 26 degrees 11 minutes 16 seconds East, along a westerly line of said Lake Estates, to the Northwest corner thereof; thence North 65 degrees 10 minutes 34 seconds East, a distance of 28.25 feet along a northerly boundary of said Lake Estates; thence North 65 degrees 10 minutes 40 seconds East, a distance of 43.75 feet along a northerly boundary of said Lake Estate; thence North 66 degrees 00 minutes 14 seconds East, a distance of 71.66 feet along a northerly boundary of said Lake Estates; thence North 80 degrees 03 minutes 41 seconds East, a distance of 70.0 feet along a northerly boundary of said Lake Estates and its northeasterly prolongation thereof; thence North 67 degrees 37 minutes 34 seconds East, a distance of 209.59 feet to a point on the East line of the Indiana and Michigan Electric Company right-of-way, said East line being 60 feet normally distant East 4 and Parallel with the West line of the East 1/2 of the Northeast 1/4 of Section 33; thence North 01 degree 04 minutes 30 seconds East a distance of 94.26 feet along said East line; thence North 87 degrees 57 minutes 47 seconds East, a distance of 937.3 feet along the westerly prolongation of the North line of Lehman Homestead Addition as recorded in Plat Book 21, page 27 in the Allen County Recorder's Office; thence North 00 degrees 46 minutes 00 seconds East, a

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)
I personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for time (s) , the dates of publication being as follows:

10/24, 31/90

described and sworn to before me this 31st day of October 19 90.

commission expires: March 3, 1994

Notary Public Whitley County, IN
SHELLEY R. LARUE

Fort Wayne Common Council
(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

Allen County, Indiana

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Date: October 31, 19 90

Title: Clerk

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Notice is hereby given that on the 9th day of October, 1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-90-09-04 Annexation Ordinance NO. X-07-90 to-wit:

Bill No. X-90-09-04

ANNEXATION ORDINANCE NO. X-07-90

AN ORDINANCE annexing certain territory commonly known as the East State Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be

and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana.

to-wit: part of the Northeast 1/4 of Section 33, Township 31 North, Range 13 East, Allen County, Indiana described as follows:

Beginning at the intersection of the West right-of-way of Maplecrest Road with the northerly right-of-way of East State Boulevard (formerly Hicksville Road), said point being on the existing City limits line as established by Annexation Ordinance (39-71 filed in the Fort Wayne City Clerk's Office; hence southwesterly, along the northerly right-of-way of said East State Boulevard, to its intersection with a westerly line of Lake Estates as recorded in Plat Book 13, page 56 in the Allen County Recorder's Office; hence North 29 degrees 55 minutes 08 seconds East, a distance of 324.66 feet, along said westerly line, hence North 26 degrees 11 minutes 16 seconds East, along a westerly line of said Lake Estates, to the northwest corner thereof; thence North 65 degrees 10 minutes 34 seconds East, a distance of 28.25 feet long a northerly boundary of said Lake Estates; hence North 65 degrees 10 minutes 40 seconds East, a distance of 43.75 feet along a northerly boundary of said Lake Estate; thence North 66 degrees 00 minutes 4 seconds East, a distance of 71.66 feet along a northerly boundary of said Lake Estates; thence North 0 degrees 03 minutes 41 seconds East, a distance of 0.0 feet along a northerly boundary of said Lake states and its northeasterly prolongation thereof; hence North 67 degrees 37 minutes 34 seconds East, a distance of 209.59 feet to a point on the East line of 1 Indiana and Michigan Electric Company right-of-way, said East line being 60 feet normally distant East and Parallel with the West line of the East 1/2 of the northeast 1/4 of Section 33; thence North 01 degree 04 minutes 30 seconds East a distance of 94.26 feet along said East line; thence North 87 degrees 57 minutes 47 seconds East, a distance of 937.3 feet along the easterly prolongation of the North line of Lehman Homestead Addition as recorded in Plat Book 21.

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

10/24, 31/90

Subscribed and sworn to before me this 31st day of October, 19 90Notary Public Whitley County, IN
SHELLEY R. LARUEMy commission expires: March 3, 1994

Bill No. X-90-09-04
ANNEXATION ORDINANCE NO. X-07-90
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SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, a corporation of the City of Fort Wayne, Indiana, to-wit:
part of the Northeast 1/4 of Section 33, Township 31 North, Range 13 East, Allen County, Indiana described as follows:
Beginning at the intersection of the West right-of-way of Maplecrest Road with the northerly right-of-way of East State Boulevard (formerly Oakville Road), said point being on the existing City limits line as established by Annexation Ordinance 39-71 filed in the Fort Wayne City Clerk's Office; thence southwesterly, along the northerly right-of-way of said East State Boulevard, to its intersection with a westerly line of Lake Estates as recorded in Plat Book 13, page 56 in the Allen County Recorder's Office; thence North 29 degrees 55 minutes 08 seconds East, a distance of 324.66 feet, along said westerly line, thence North 26 degrees 11 minutes 16 seconds East, along a westerly line of said Lake Estates, to the northwest corner thereof; thence North 65 degrees 10 minutes 34 seconds East, a distance of 28.25 feet along a northerly boundary of said Lake Estates; thence North 65 degrees 10 minutes 40 seconds East, a distance of 43.75 feet along a northerly boundary of said Lake Estate; thence North 66 degrees 00 minutes 14 seconds East, a distance of 71.66 feet along a northerly boundary of said Lake Estates; thence North 30 degrees 03 minutes 41 seconds East, a distance of 10.0 feet along a northerly boundary of said Lake Estates and its northeasterly prolongation thereof; thence North 87 degrees 37 minutes 34 seconds East, a distance of 209.59 feet to a point on the East line of an Indiana and Michigan Electric Company right-of-way, said East line being 60 feet normally distant East of and Parallel with the West line of the East 1/2 of the Northeast 1/4 of Section 33; thence North 01 degree 04 minutes 30 seconds East a distance of 94.26 feet along said East line; thence North 87 degrees 57 minutes 47 seconds East, a distance of 937.3 feet along the westerly prolongation of the North line of Lehman Homestead Addition as recorded in Plat Book 21, page 27 in the Allen County Recorder's Office; thence North 00 degrees 46 minutes 00 seconds East, a distance of 216.0 feet parallel with the East line of the Northeast 1/4 of said Section 33, to the Northwest corner of lands conveyed to Delagrang and recorded in Document 86-006752 in the Allen County Recorder's Office; thence North 87 degrees 57 minutes 47 seconds East, along the North line of said Delagrang parcel and its easterly prolongation thereof, to the West right-of-way of Maplecrest Road; thence southerly along said West right-of-way, to a point of beginning, containing 17 acres more or less.
The boundaries of said territory are those outlined in the location map designated East State Annexation, two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning, criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.
SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.
SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I.C. 36-4-3-7. The above described territory shall become part of the City of Fort Wayne on December 31, 1990.
COUNCIL MEMBER
David Long
Read the third time in full and on motion by Long seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Eight
Burns, Edmonds, GiaQuinta, Henry, Long, Redd, Schmidt, Talarico
Nays: None
Absent: One
Bradbury
Abstained: None
DATED: 10-9-90
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-90, on the 9th day of October, 1990.
ATTEST
Sandra E. Kennedy
City Clerk
Charles B. Redd
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1990, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 18th day of October, 1990, at the hour of 1:30 o'clock P.M., E.S.T.
Paul Heimke
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-90, passed by the Common Council on the 9th day of October, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 18th day of October, 1990, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of October, 1990.
SANDRA E. KENNEDY, CITY CLERK
10-24-31

Board of Accounts

General Form No. 99P (Revised 1987)

City Council
(Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

County, Indiana

PUBLISHER'S CLAIM

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Nicole Allred

19 90

Title:

Clerk

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State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for NO time (s), the dates of publication being as follows:

10/24, 31/90

Nicole Allred

Subscribed and sworn to before me this 31st day of October, 19 90.

Sherley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-90-09-04 Annexation Ordinance NO. X-07-90
S-wit:
Bill No. X-90-09-04
ANNEXATION ORDINANCE NO. X-07-90
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Beginning at the intersection of the West right-of-way of Maplecrest Road with the northerly right-of-way of East State Boulevard (formerly Jacksonville Road), said point being on the existing City limits line as established by Annexation Ordinance No. 39-71 filed in the Fort Wayne City Clerk's Office; thence southwesterly, along the northerly right-of-way of said East State Boulevard, to its intersection with a westerly line of Lake Estates as recorded in Plat Book 3, page 56 in the Allen County Recorder's Office; thence North 29 degrees 55 minutes 08 seconds East, a distance of 324.66 feet, along said westerly line, thence North 26 degrees 11 minutes 16 seconds East, along a westerly line of said Lake Estates, to the northwest corner thereof; thence North 65 degrees 10 minutes 3 4 seconds East, a distance of 28.25 feet along a northerly boundary of said Lake Estates; thence North 65 degrees 10 minutes 40 seconds East, a distance of 43.75 feet along a northerly boundary of said Lake Estate; thence North 66 degrees 00 minutes 1 seconds East, a distance of 71.66 feet along a northerly boundary of said Lake Estates; thence North 2 degrees 03 minutes 41 seconds East, a distance of 10 feet along a northerly boundary of said Lake Estates and its northeasterly prolongation thereof; thence North 67 degrees 37 minutes 34 seconds East, a distance of 209.59 feet to a point on the East line of the Indiana and Michigan Electric Company right-of-way, said East line being 60 feet normally distant East and Parallel with the West line of the East ½ of the Northeast ¼ of Section 33; thence North 01 degree 04 minutes 30 seconds East a distance of 94.26 feet along said East line; thence North 87 degrees 57 minutes 47 seconds East, a distance of 937.3 feet along the westerly prolongation of the North line of Lehman Homestead Addition as recorded in Plat Book 21, page 27 in the Allen County Recorder's Office; thence North 00 degrees 46 minutes 00 seconds East, a distance of 216.0 feet parallel with the East line of the Northeast ¼ of said Section 33, to the Northwest corner of lands conveyed to Delagrang and recorded Document 86-006752 in the Allen County Recorder's Office; thence North 87 degrees 57 minutes 47 seconds East, along the North line of said Delagrang parcel and its easterly prolongation thereof, to the West right-of-way of Maplecrest Road; thence southerly along said West right-of-way, to a point of beginning, containing 17 acres more or less.
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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan as examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.
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COUNCIL MEMBER
David Long
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Ayes: Eight
Burns, Edmonds, GiaQuinta, Henry, Long, Redd, Schmidt, Talarico
Nays: None
Absent: One
Bradbury
Abstained: None
DATED: 10-9-90
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-90, on the 9th day of October, 1990.
ATTEST
Sandra E. Kennedy
City Clerk
Charles B. Redd
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1990, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 18th day of October, 1990, at the hour of 1:30 o'clock P.M., E.S.T.
Paul Helmke
Mayor
The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-90, passed by the Common Council on the 9th day of October, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 18th day of October, 1990, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of October, 1990.
SANDRA E. KENNEDY, CITY CLERK
10-24-31

Board of Accounts

General Form No. 99P (Revised 1987)

Common Council
(Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

Allen County, Indiana

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It does not exceed two actual lines, neither of which shall total more than 100 characters (including spaces of type in which the body of the advertisement is set) in any one line.

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and penalties of Chapter 155, Acts 1953,

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Nicole Allred

_____, 19 90

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the

undersigned Nicole Allred

who, being duly sworn, says that he/

she is Clerk

of the The Journal-Gazette

newspaper of general

circulation printed and published in the English language in the (city) (town) of

Fort Wayne, IN

in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for

two

time(s), the dates of publication being as follows:

10/24, 31/90

Nicole Allred

Subscribed and sworn to before me this 31st day of October, 19 90.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

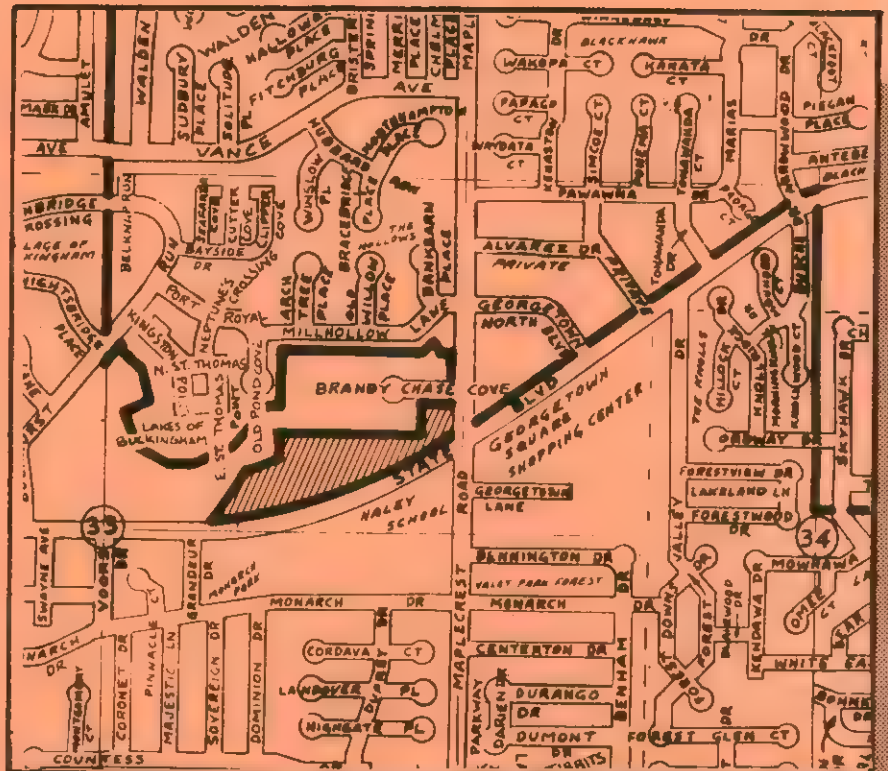
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

September 1990

East State
Annexation

COMMUNITY & ECONOMIC



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Greg Purcell
Director
Division of Community Development and Planning

Michael A. Sapp
Director of Planning

Fort Wayne City Plan Commission

Steve Smith, President
Mel Smith , Vice-President
Robert Hutner, Secretary
Mark Gensic
Charles Layton
David Long
John Shoaff
Wil Smith
Yvonne Stam

RESEARCH AND PREPARATION

Gary Stair, Senior Planner
Pamela Holocher, Planner II
Nancy Townsend, Intern

INTRODUCTION

Since its inception, the City of Fort Wayne has been annexing land adjacent to its corporate limits. The East State Annexation is a logical continuance of this policy.

This Fiscal Plan, which is required by State Annexation Law, explains why the East State Annexation area meets the state law requirements for annexation. Also, this plan gives basic data regarding the area, describes the services which will be furnished to the area upon annexation by the City, and summarizes the fiscal impact of annexation upon the City.

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| B. Expenditures | 20 |
| C. Five Year Summary | 21 |
| D. Recommendation | 22 |

SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located east of the city of Fort Wayne and is bounded on the east by the west right of way of Maplecrest Road, on the south by the north right of way of State Boulevard, and on the north and west by the present corporate limits, in Section 33, Township 31 North, Range 13 East, in St. Joseph Township (See Figure 1).

B. SIZE

The East State Annexation area contains approximately 18 acres.

C. POPULATION

Block statistics from the 1980 Census of Population and Housing shows that there are 3.7 persons per dwelling unit in the annexation area. Multiplying this figure by the 7 dwelling units in the annexation area, the population is calculated to be 26 persons.

D. BUILDINGS

| | |
|---------------------------|--------------|
| Single Family Residential | 7 structures |
| Commercial | 7 structures |
| Institutional | 2 structures |

E. PATTERNS OF LAND USE

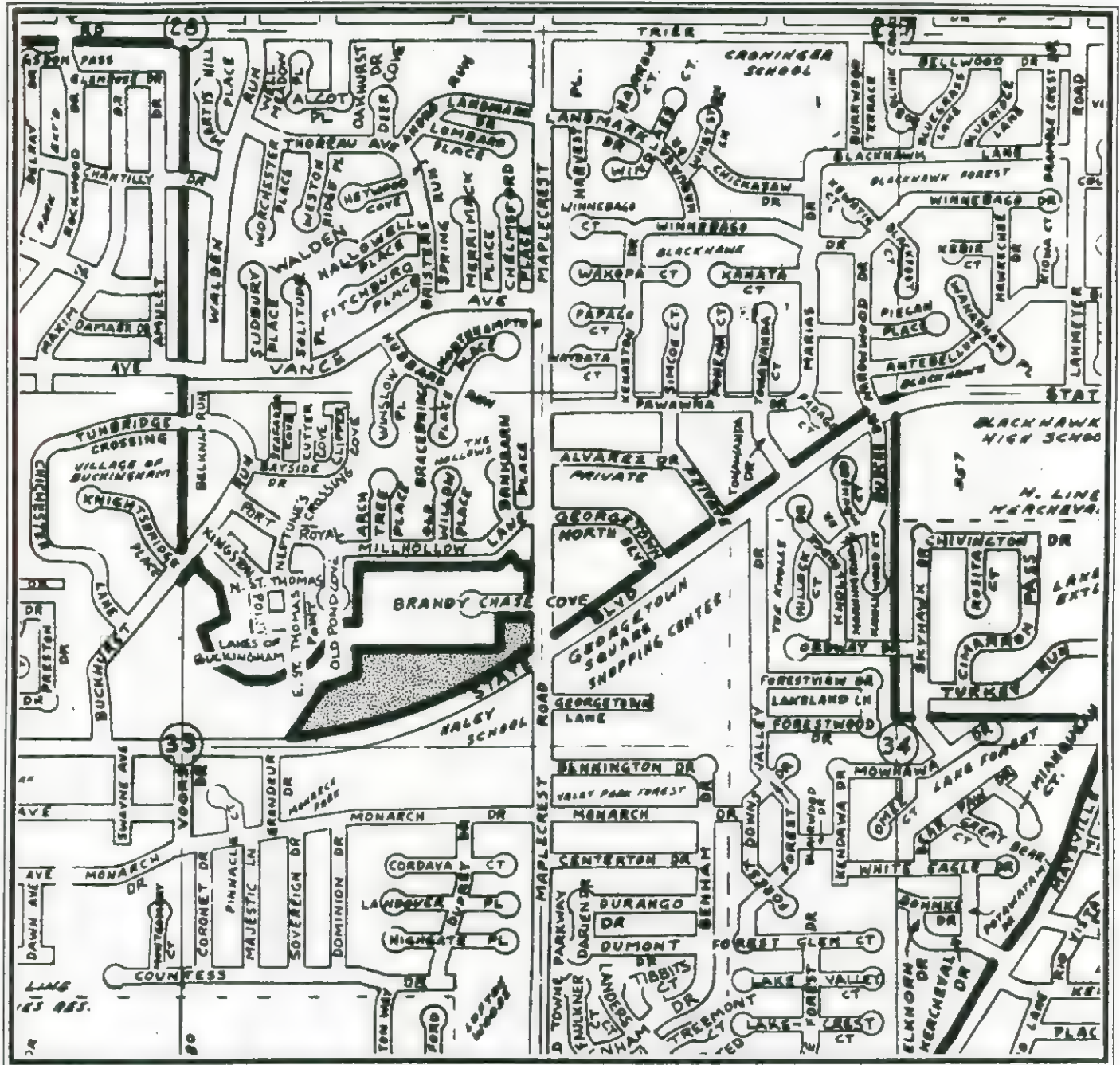
| | <u>Acres</u> | <u>Percent</u> |
|---------------|--------------|----------------|
| Residential | 8 | 44.5% |
| Commercial | 6 | 33.3% |
| Institutional | 3 | 16.7% |
| Right of way | <u>1</u> | <u>5.5%</u> |
| TOTAL | 18 | 100.0% |

F. ZONING

The East State Annexation area currently contains three zoning classifications (see figure 2). Upon annexation, this area will be under jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

FIGURE 1

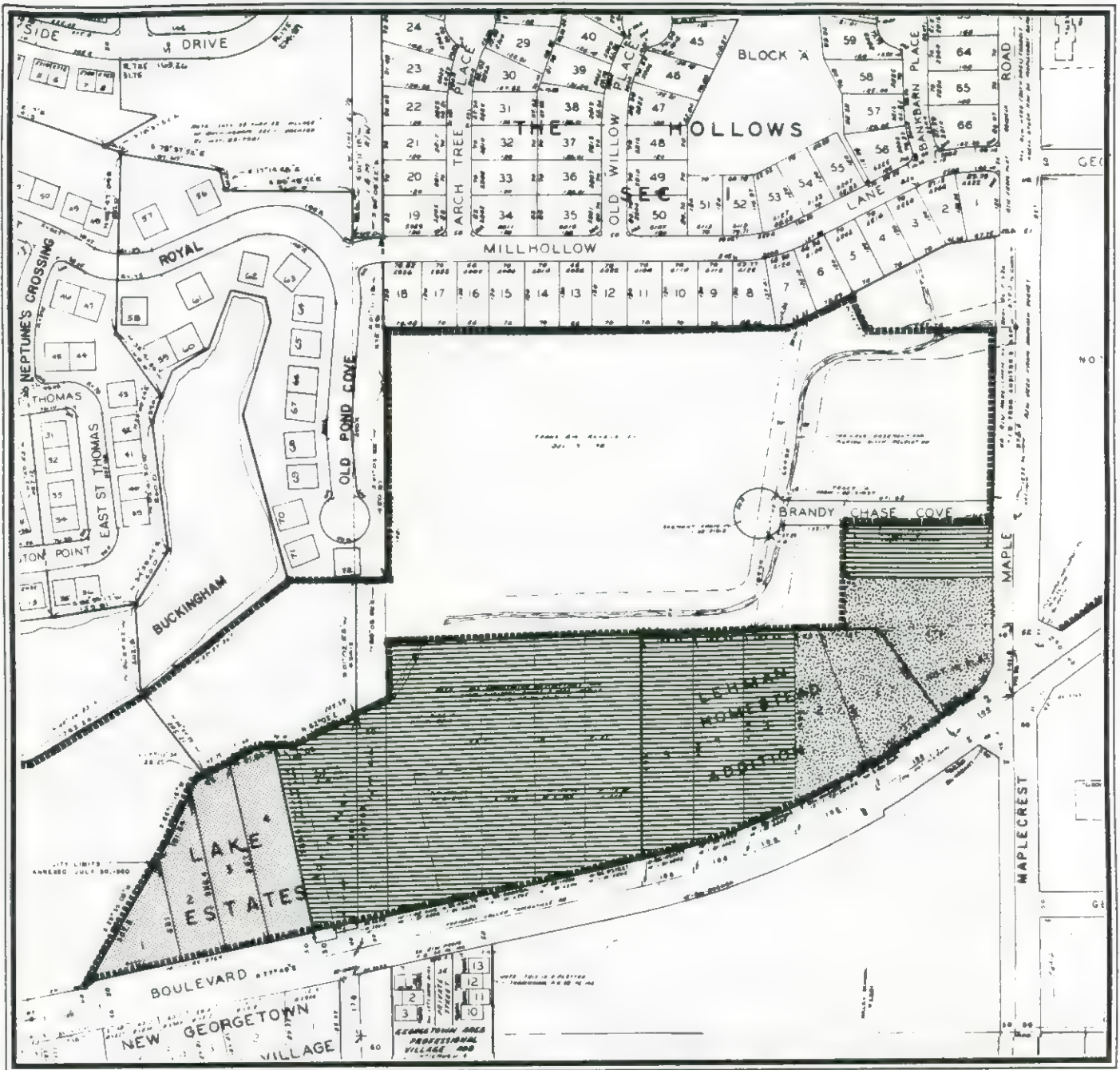
EAST STATE ANNEXATION



Location

FIGURE 2

EAST STATE ANNEXATION



Zoning

| | |
|--|----------------------------|
| | RS-1 Suburban Residential |
| | C-1 Limited Commercial |
| | C-1A Professional Services |

County Zoning Classification

RS1 Suburban Residential
C1A Professional Services
C1 Limited Commercial

City Zoning Classification

R1 Single Family Residential
B1A Limited Business District
B1B Limited Business District

G. TOPOGRAPHY

The East State Annexation area primarily contains Pewamo loam and Morely loam. It has been determined by using U.S. Geological Survey Maps that the area has a low relief and that the general slope of the area is approximately 3.0 percent.

H. ASSESSMENT

\$590,780

I. NET TAX RATE: (1989 payable 1990 rates)

| | | |
|-------------------|----------|-----------------------|
| Existing: | \$4.7691 | |
| After annexation: | \$7.3349 | |
| Increase: | \$2.5730 | (54 percent increase) |

J. COUNCIL DISTRICT

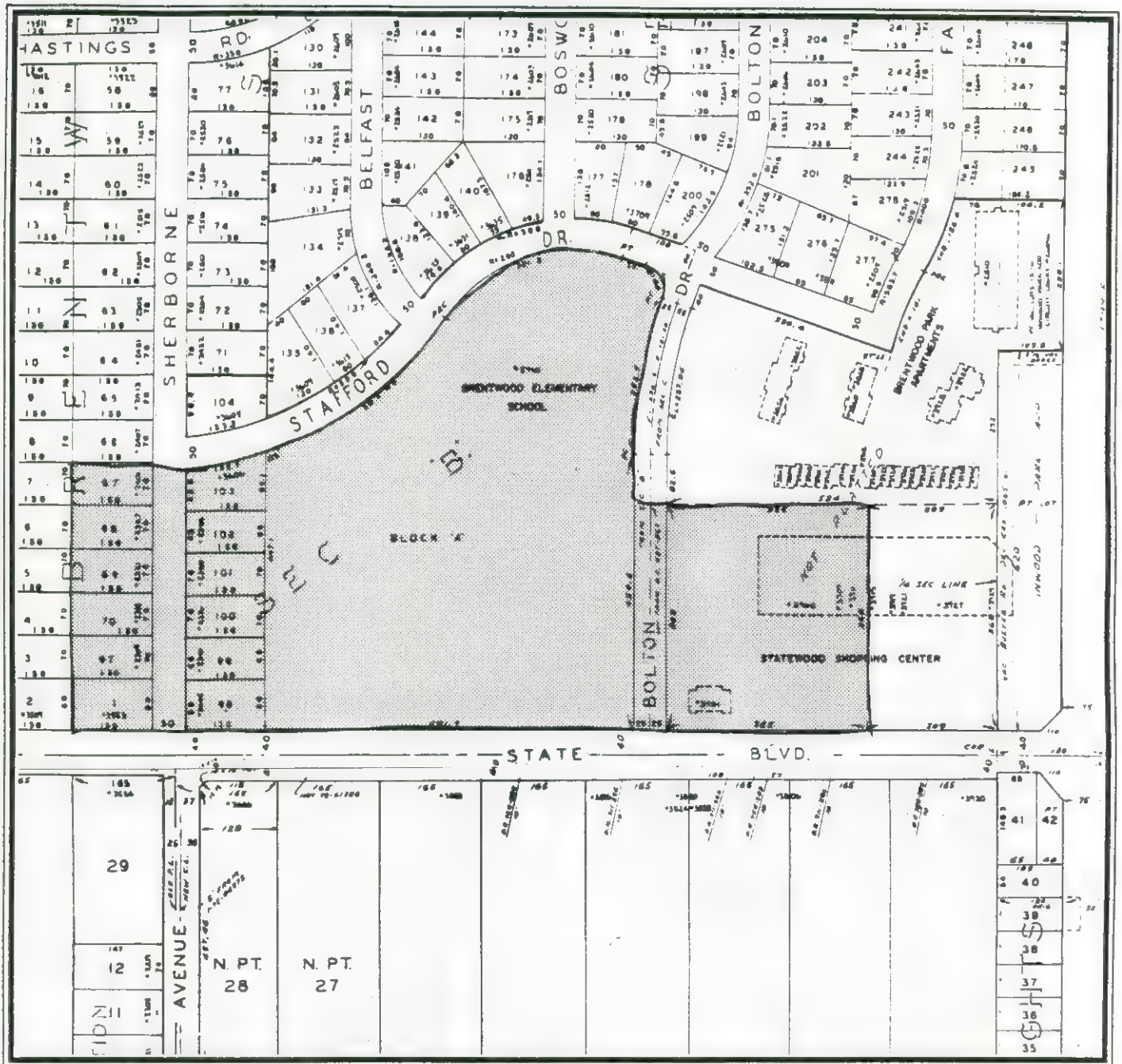
The East State Annexation area will be in City Council District 2.

K. SELECTED AREAS WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE, AND POPULATION DENSITY

As the City of Fort Wayne has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use, and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use, and population density to East State Annexation area is the Brentwood/Statewood Plaza Area (See Figure 3). On page six is a comparison of the two areas.

FIGURE 3

Brentwood / State Plaza



Comparable Area

| | <u>East State Annexation Area</u> | <u>Brentwood/ Statewood Area</u> |
|-------------------------|----------------------------------------------------------|-------------------------------------------------------------|
| Topography | Low relief, loamy soil | Low relief, loamy soil |
| Patterns of Land Use | Residential and institutional with some commercial | Residential and institutional with some commercial |
| Population Density | 1.4 persons per acre | 1.6 persons per acre |

No areas within the City with similar topography, patterns of land use, and population density as the East State Annexation area are receiving services higher in standard or greater in scope than those services promised the East State Annexation area.

SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the East State area is part of a larger comprehensive annexation program prepared by the Department of Community Development and Planning, which was promulgated in a report in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the East State area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with the state law requirements as set forth in IC 36-4-3. The statute mandates that the courts accept the annexation if the area meets either of the following criteria:

1. The boundaries of the annexation area must be at least one-eighth (12.5 percent) contiguous to the corporate limits, and the area must meet one of the following conditions:
 - a. Have a population density of at least three persons per acre; or
 - b. Be zoned for commercial, business, or industrial uses; or
 - c. Be at least 60 percent subdivided; or
2. The boundaries of the annexation area must be at least one-fourth (25 percent) contiguous to the corporate limits, and the area must be needed and can be used by the municipality for its development in the reasonably near future.

In either case, the municipality must also prepare a written Fiscal Plan for providing services to be furnished to the annexed territory, together with the methods for financing such services. The East State Annexation meets the second option which has been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how this annexation meets the one-fourth contiguous and is needed and can be used test.

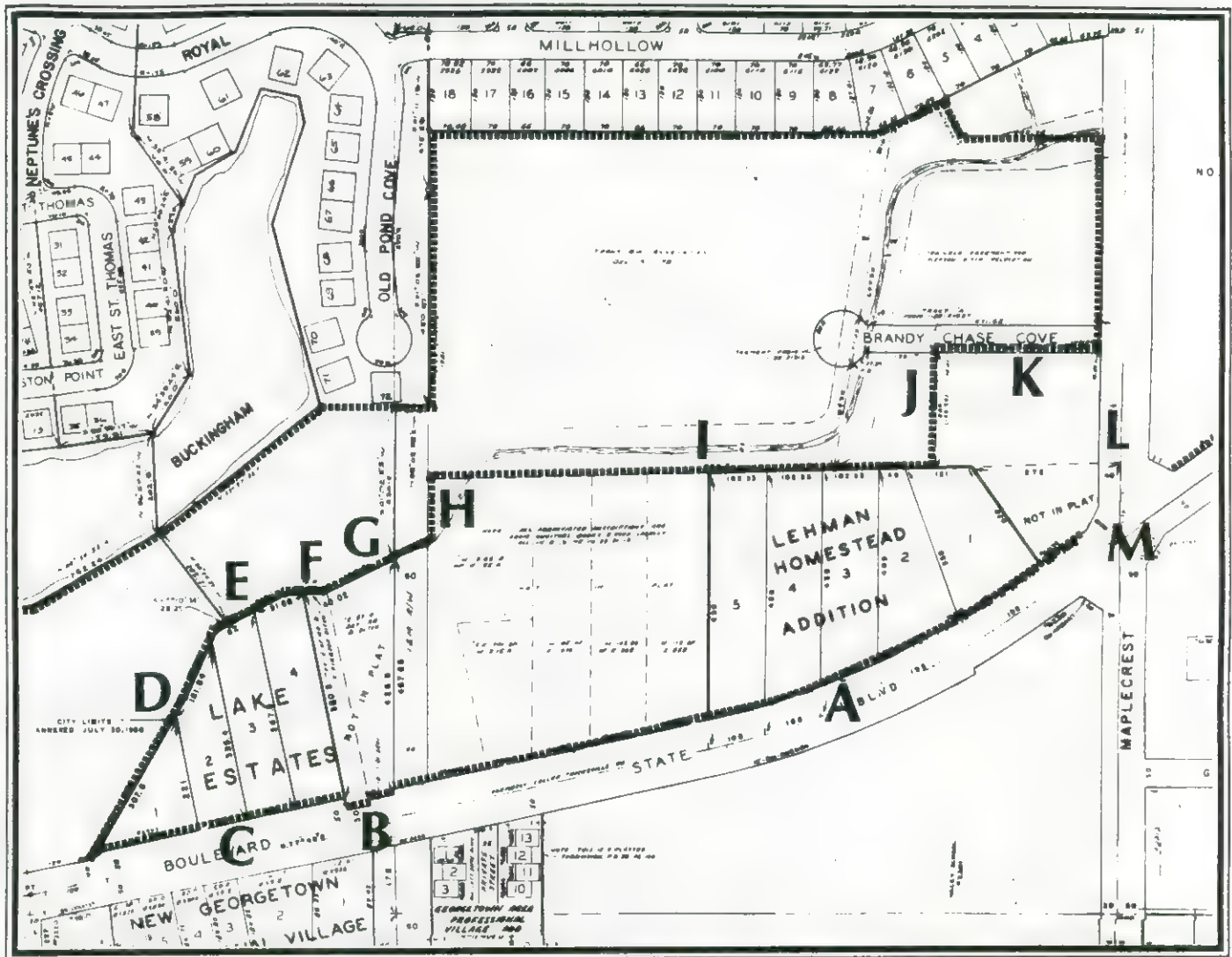
B. One-Fourth Contiguous

The second annexation test stipulates that an annexation is valid if the area is at least twenty-five percent contiguous and if it is needed and can be used by the municipality in the reasonably near future (IC-36-4-3-13). The annexation area is 92.7% contiguous to Fort Wayne (See Figure 4). Hence, it meets the contiguity requirements mandated by the second test.

Having met the contiguity requirement, the area must be needed and can be used by the municipality for its development in the reasonably near future. As will be explained, the East State Annexation Area meets this requirement and is needed and can be

FIGURE 4

EAST STATE ANNEXATION



Contiguity

CONTIGUOUS

| | |
|---|-------|
| A | 1375' |
| B | 150' |
| C | 475' |
| D | 475' |
| E | 150' |
| F | 75' |
| G | 225' |
| H | 125' |
| I | 925' |
| J | 225' |
| K | 300' |

4500' (92.7%)

NON-CONTIGUOUS

| | |
|---|------|
| L | 300' |
| M | 50' |

350' (7.3%)

used for the following reasons:

1. Efficient Service Provisions;
2. Planning Control; and
3. Implementation of the City's Annexation Policy;

1. Efficient Service Provisions

The East State Annexation area is needed so that the City can provide services more efficiently. This annexation will improve service delivery by allowing the city to take advantage of economies of scale. If, for example, the City of Fort Wayne invests in a fire station, a truck, and the staff necessary to respond to a fire 24 hours a day, it is most efficient to utilize these resources to their fullest capacity. Therefore, if such a hypothetical station has a range of response of two miles in all directions and the jurisdiction of the station does not cover the potential service area, the station is being under utilized. This is inefficient and increases the cost of fire protection for the entire area. Both the Fort Wayne Police and Fire Departments have stated that they can provide services to the East State Annexation area with no increase in staff and with minimal or no increases in expenditures. Consequently, the annexation of this area will enable both departments, as well as other service agencies, to make better use of existing resources.

2. Planning Control

The East State Annexation area is also needed by the City of Fort Wayne so that it will have planning and zoning control over the urban area. This is important because the City, being a heavily developed urban area, has zoning and planning standards that are more attuned to urban areas which adjoin the city. On the other hand, the County, with its large parcels of agricultural land, has standards that are much more attuned to a rural lifestyle. It makes sense to have distinct standards for urban and rural uses. What does not make sense is to allow areas which are within the sphere of influence of Fort Wayne, and which are urban in nature, to be subject to standards which may not be suitable for urban development.

3. Annexation Policy

The East State Annexation area is needed by the City of Fort

Wayne to implement its Annexation Policy, as set forth in the Annexation Policy and Program Study. It is important that the City achieve the goals in the annexation plan because the areas proposed to be annexed in the plan are areas that are urban in nature or will most likely develop into urban areas in the near future. If the City is to truly address the needs of the urban community, as municipalities in Indiana have been designed to do, it must implement its annexation policy to the best of its ability. The annexation of urban areas will not only allow the City to control and manage urban growth and development, but, will expand the City's tax base, enabling it to provide quality urban services to the entire urban community.

C. CONCLUSION

The East State Area should be annexed into Fort Wayne because it satisfies the requirements that have been established by the State legislature: the annexation area is more than 25 percent contiguous and is needed and can be used by the City for its growth and development in the reasonably near future.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the East State Annexation Area. The plan also describes how and when the City plans to extend the services of those improvements which are non-capital and capital in nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by state law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the East State Annexation area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density, including but not limited to the Brentwood/State Plaza area.

A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order and provides educational and technical assistance in the area of crime prevention and neighborhood services.

Police District #3 will be expanded to cover the East State Annexation area upon annexation. The Police Department keeps records on the amount of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. Due to

the size of the area and its proximity to the city limits, the cost to provide police protection to the East State Annexation area will be minimal and will be handled by the present Police Department budget. Funding for police services is primarily derived from local property taxes through the General Fund.

Capital Costs: \$0
Estimated Annual Operating Costs: \$0

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing fire protection services to the East State Annexation Area immediately upon annexation. The services provided include fire protection and suppression, emergency rescue, fire prevention, and fire inspections. Primary response will come from Station 14 located at 3400 Reed Road. The response time from Station 14 to the annexation area is approximately 4 to 6 minutes. One Class A pumper and one emergency medical car are located at this station. Back-up response will come from Station 10 located at 1245 East State.

The annexation of the East State area will not require a new fire station nor will it require additional personnel or equipment. The only additional expense is expected to be operating costs, including gasoline, postage, and photography. These operating costs are considered to be negligible since the annexation area represents only a small fraction of the total area serviced by the City. Funding for this increment in operating costs will come from the Fire Department's budget through the General Fund.

CAPITAL COSTS: \$0
ESTIMATED ANNUAL OPERATING COSTS: \$0

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Three Rivers Ambulance Authority is the only provider of ambulance service to city residents. Persons in the East State Annexation Area are currently receiving full advanced life support ambulance service provided by the TRAA and will continue to do so upon annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. For some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 14. Secondary assistance from Fire Department will come from Station

10. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, firemen are able to administer medical treatment to residents before the ambulance arrives.

The method of financing emergency medical services is based on user fees. The charges for ambulance service are shown below:

TABLE 1

1. \$95 plus \$3 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$120 plus \$3 per loaded mile for non-scheduled non-emergency transfers
3. \$380 for emergencies for all City and non-City residents.

This method of financing permits service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to service the annexation area.

ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne will provide garbage collection to residential customers immediately after the effective date of annexation to the East State Annexation Area. The City currently contracts with Waste Management to supply this service.

According to the contract agreement, the City is charged a tonnage cost of \$42.85 for solid waste pick-up. This cost amounts to approximately \$55.10 per household, per year, for this service. Consequently, annexation of 7 residences in the East State Annexation area will cost \$386 per year. Solid waste collection will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

| | |
|------------------------|-------|
| CAPITAL COSTS: | \$ 0 |
| ESTIMATED ANNUAL COST: | \$386 |

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately upon the effective date of annexation. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. Finally, the department provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems.

No additional traffic control service is needed in the annexation area because the arterial street which provides access to the annexation area is currently within the corporate boundaries of the City and, therefore, already is provided with City services. The Traffic Engineering Department will not require additional personnel to perform its service to the annexation area, nor will there be any capital or labor costs.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

F. STREETS AND ROADS

The incorporation of the East State Annexation Area will not add any arterial streets or roads to the City. The City of Fort Wayne Street Department is currently responsible for the general maintenance of State Boulevard which borders the annexation area to the south. General maintenance includes snow and ice removal and surface maintenance. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

G. PARKS AND RECREATION

Residents of the East State Annexation Area presently have access to city park facilities such as swimming pools, baseball diamonds, indoor and outdoor skating, golf courses, and picnic facilities, etc. No new park will need to be developed for the East State Annexation Area. Residents will be in close proximity to Shoaff Park, a 169 acre community park.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

H. WATER

The Fort Wayne Water Utility is presently serving the annexation area. The extension of water services to individual developments will be considered once the property owners in the area petition for such service.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

I. FIRE HYDRANTS

The City pays the Fort Wayne Water Utility \$183.83 annually for each fire hydrant located within the City. Although, the proposed annexation area is served by fire hydrants, these hydrants are located in the City. Therefore, there will be no additional costs for fire hydrants.

| | |
|------------------------|-----|
| Capital Costs: | \$0 |
| Estimated Annual Cost: | \$0 |

J. SANITARY SEWER

The Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers to the annexation area. The Water Pollution Control Department has the capability to extend sanitary sewers within the annexation area but will be considered only upon petition by the concerned property owners.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

K. STORM SEWERS

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy, for all properties within the City, that the financing of storm sewers is the responsibility of property owners.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits, to reduce night accidents, facilitate traffic flow, aid police protection, and inspire community spirit and growth. The City of Fort Wayne will assume all costs for existing lighting, located within public right-of-way. The East State Annexation area does not contain any streets, consequently, there are no existing lights that the City will have to purchase or maintain.

The Street Lighting Department currently has lights along East State Boulevard, Maplecrest Road, and Brandy Chase Cove, streets

which border the annexation area. The City currently maintains these facilities and assumes all costs for existing lighting located within the public rights-of-way and will continue to do so upon annexation.

Further developments in this area which need street lights must be petitioned for, per State Statute, to the Street Lighting Department in order to expedite the installation.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

M. ANIMAL CONTROL

The East State Annexation area is located within the north district of the Animal Control Department. Currently, the north district is not yet at capacity. Therefore, costs would be negligible to provide this service to the area.

| | |
|-------------------------|-----|
| CAPITAL COST: | \$0 |
| ESTIMATED ANNUAL COSTS: | \$0 |

N. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the East State Annexation Area immediately upon the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

| | |
|------------------------|-----|
| CAPITAL COSTS: | \$0 |
| ESTIMATED ANNUAL COST: | \$0 |

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that due to the annexation of the East State area, any governmental employees will be eliminated from other governmental agencies. However, if any governmental employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures from the proposed East State Annexation. This section also provides a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the East State Annexation Area. Property taxes are computed from the gross amount of assessed valuation in the area and can be obtained from the Office of the St. Joseph Township Assessor. The formula for computing tax revenue is shown in the following table:

TABLE 2

Tax Revenue Formula

$$\frac{V-E}{100} (T) = TR$$

| | | | |
|--------|----|---|-------------------------|
| WHERE: | V | = | Assessed Valuation |
| | E | = | Home Mortgage Exemption |
| | T | = | City Tax Rate |
| | TR | = | Tax Return |

The total assessed valuation of the proposed East State Annexation is \$590,780. The home mortgage exemption is deducted from this total. There are 7 dwelling units within this annexation area and it is assumed that each one is eligible for the \$1,000 exemption mentioned above. The total taxable assessed valuation of the annexation area becomes \$583,780 after the calculation is made. Property tax revenue for 1990 can then be determined by applying the Fort Wayne/St. Joseph Municipal tax rate (3.2533) to this figure giving a total property tax revenue of \$18,992. Table 3 details the components of this tax rate. Using a 3 percent rate of inflation, the property tax revenue for 1992, the first year that taxes would be due to the City after annexation would be \$20,149. A portion of this revenue would be supplied from the State Property Tax Relief Fund.

TABLE 3

Taxing District Rate

| | |
|---------------------------|--------------|
| Corporation General | \$1.6607 |
| Corporation Debt Service | .3634 |
| Firemen Pension | .1359 |
| Policemen Pension | .1209 |
| Sanitary Officers Pension | .0162 |
| Fire | .6563 |
| Park General | .2897 |
| Redevelopment General | <u>.0102</u> |
| | \$3.2533 |

In addition to property taxes, the City receives revenues from the Community Development Block Grant, the Cigarette Tax, the County Option Income Tax (COIT), and the Alcoholic Beverage Tax. Some of these funds are based in part on the City's population and some are based on the tax levy. Since population is only one element of a very complex distribution formula, the direct contribution of the East State Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 4. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects, such as construction of streets, curbs, and sidewalks, must follow routine city procedures which often require petitioning.

On the following page, Table 4 details the costs that will be incurred by each department upon the annexation of the East State Area.

TABLE 4

EXPENDITURES

| <u>DEPARTMENTS</u> | <u>CAPITAL COSTS</u> | <u>OPERATING COSTS</u> |
|--------------------------|----------------------|------------------------|
| Police Department | \$0 | \$ 0 |
| Fire Department | 0 | 0 |
| EMS | 0 | 0 |
| Solid Waste Disposal | 0 | 386 |
| Traffic Control | 0 | 0 |
| Streets | 0 | 0 |
| Street Lighting | 0 | 0 |
| Parks | 0 | 0 |
| Water | 0 | 0 |
| Fire Hydrants | 0 | 0 |
| Sanitary Sewer | 0 | 0 |
| Storm Sewer | 0 | 0 |
| Animal Control | 0 | 0 |
| Administrative Functions | <u>0</u> | <u>0</u> |
| TOTALS | \$0 | \$386 |

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the East State Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years a 7 percent inflation factor for municipal expenditures, and a 3 percent increase factor for City revenues.

Property tax revenue from the annexation area will not be collected until 1992. Assuming the area is annexed in December of 1990, assessment will not occur until March of 1991, with revenues being collected in 1992. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$413 in 1991. On the following page, Table 5 details the revenues minus the expenses for the East State area over the next 5 year period.

TABLE 5

REVENUES MINUS EXPENSES

| | EXPENDITURES | PROPERTY TAX REVENUE | BALANCE |
|------|--------------|-------------------------|---------------|
| 1991 | \$ 413 | | \$ - 413 |
| 1992 | 442 | \$20,149 | 19,707 |
| 1993 | 473 | 20,753 | 20,280 |
| 1994 | 506 | 21,376 | 20,870 |
| 1995 | <u>541</u> | <u>22,017</u> | <u>21,476</u> |
| | \$2,375 | \$84,295 | \$81,920 |

D. RECOMMENDATIONS

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the East State Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1990.

TABLE 6
ST. JOSEPH TOWNSHIP TAX RATES
1989 PAYABLE 1990

| | | ST. JOSEPH TRANSIT | FORT WAYNE ST. JOSEPH |
|----------------------|-------------------------|-----------------------|--------------------------|
| STATE | St. Fair Board | .0035 | .0035 |
| | St. Forestry | .0065 | .0065 |
| | Welfare HCI | .0500 | .0500 |
| | Welfare Administration | .0704 | .0704 |
| | TOTAL STATE | .1304 | .1304 |
| COUNTY | County General | .7802 | .7802 |
| | County Welfare | .1216 | .1216 |
| | County Health | .0412 | .0412 |
| | Cumulative Bridge | .0374 | .0374 |
| | County Bonds | .0980 | .0980 |
| | Reassessment | .0100 | .0100 |
| | Welfare Med. Ast. Ward | .0058 | .0058 |
| | Cumulative Capital Dev. | .0524 | .0524 |
| | TOTAL COUNTY | 1.1466 | 1.1466 |
| TOWNSHIP | Township EMS | .0039 | |
| | Fire Debt | .0572 | .0005 |
| | Township General | .0022 | .0022 |
| | Poor Relief | .0073 | .0073 |
| | Fire Protection | .0555 | |
| | Township Recreation | .0005 | |
| | TOTAL TOWNSHIP | .0711 | .0100 |
| SCHOOLS | School General | 2.4911 | 2.4911 |
| | Debt Service | .0713 | .0713 |
| | Art Institute | .0050 | .0050 |
| | School Transportation | .3667 | .3667 |
| | Capital Projects | .6215 | .6215 |
| | Racial Balance | .2000 | .2000 |
| | TOTAL SCHOOL | 3.7556 | 3.7556 |
| AIRPORT AUTHORITY | Airport General | .0763 | .0763 |
| | Airport Debt | .0185 | .0185 |
| | TOTAL AIRPORT | .0948 | .0948 |
| LIBRARY | Library General | .2905 | .2905 |
| | Library Debt | .0399 | .0399 |
| | TOTAL LIBRARY | .3304 | .3304 |
| PTC | PTC General | .0999 | .0999 |
| | PTC Debt | .0333 | .0333 |
| | TOTAL PTC | .1332 | .1332 |

TABLE 6
ST. JOSEPH TOWNSHIP TAX RATE
1989 PAYABLE 1990

| | ST. JOSEPH TRANSIT | FORT WAYNE ST. JOSEPH |
|----------|------------------------------------|--------------------------|
| CITY | Corporation General | 1.6607 |
| AND | Redevelopment General | .0126 |
| SPECIAL | Corp. Debt Service | .3634 |
| TAXING | Firemen Pension | .1359 |
| DISTRICT | Policemen Pension | .1209 |
| | Park General | .2897 |
| | Sanitary Officers Pen. | .0162 |
| | Fire | .6563 |
| | TOTAL CITY AND SPECIAL DISTRICT | 0.00 3.2533 |
| | TOTAL TAX RATE | 5.6621 8.8543 |
| | REPLACEMENT CREDIT | .158987 .171597 |
| | NET TAX RATE | 4.761900 7.334929 |

